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PART II—Section 4

Statutory Rules and Orders issued by the
Ministry of Defence

MINISTRY OF DEFENCE

S.R.O. 116, dated 5th Dec. 1959.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby directs that the following further amendments shall be made to the Civilians in Defence Services (Classification, Control and Appeal) Rules, 1952, namely:—

In the said Rules—

(1) In Rule 13,

(a) clause (v) shall be omitted, and

(b) the existing clauses (vi), (vii) and (viii) shall be re-numbered as (v), (vi) and (vii) respectively;

(2) in sub-rule (2) of Rule 14, the word brackets and figure "or (v)" shall be omitted;

(3) after rule 14, the following rule shall be inserted, namely:—

"14-A: (i) the appointing authority or any authority to which it is subordinate or any other authority empowered by the Government in that behalf may place a person under suspension—

(a) where a disciplinary proceeding against him is contemplated or is pending, or

(b) where a case against him in respect of any criminal offence is under investigation or trial:

Provided that where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

(ii) a person who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority and shall remain under suspension until further orders.

(iii) where a penalty of dismissal, removal or compulsory retirement from service imposed upon a person under suspension is set aside, in appeal or on review, under these rules and the case is remitted for

further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(iv) where a penalty of dismissal, removal or compulsory retirement from service imposed upon a person, is set aside or declared or rendered void in consequence of or by a decision of a court of law and the punishing authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the person shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(v) an order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.”;

(4) in schedule IV, in the subject heading of column 4, the word, brackets and figures “and (v)” shall be omitted.

G. A. RAMRAKHLANI, Dy. Secy.

S.R.O. 117, dated 28th Mar. 1961.—In exercise of the powers conferred by sub-section (2) of section 12 of the National Cadet Corps Act, 1948 (31 of 1948), read with sub-rule (2) of rule 42 of the National Cadet Corps Rules, 1948, the Central Government hereby appoints Major O. P. Bakshi, GSO 2, HQ P and HP Indep Sub-Area and Shri Mahabir Singh, Secretary to the Lieutenant Governor of Himachal Pradesh, to be members of the State Advisory Committee of the National Cadet Corps for the Union Territory of Himachal Pradesh and makes the following amendments in the notification of the Government of India in the Ministry of Defence, No. S.R.O. 59, dated the 10th February, 1961, namely:—

In the said notification, for the existing entries No. 4 and No. 13, the following entries shall be substituted, respectively, namely:—

- “4. Major O. P. Bakshi, GSO 2, HQP and HP Indep Sub-Area.” and
 “13. Shri Mahabir Singh, Secretary to the Lieutenant Governor of Himachal Pradesh.”

S.R.O. 118, dated 27th Mar. 1961.—In exercise of the powers conferred by section 14 of the Territorial Army Act, 1948 (56 of 1948), the Central Government hereby makes the following further amendment in the Territorial Army Rules, 1948, namely:—

1. These rules may be called the Territorial Army (Amendment) Rules, 1961.
2. In sub-clause (i) of clause (b) of rule 4 of the Territorial Army Rules, 1948, after the words “enrolment in the”, the words “Railway or” shall be inserted.

[Case No. 43588/GS/TA3/2009/61/D(GS-III).]

B. J. SENGUPTA, Dy. Secy.

S.R.O. 119, dated 27th Mar. 1961.—In exercise of the powers conferred by sub-section (1) of section 16 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to fix 23rd July 1961, as the date on which elections in Delhi Cantonment shall be held.

[No. 29/44/G/L&C/57.]

S.R.O. 120, dated 27th Mar. 1961.—In exercise of the powers conferred by sub-section (1) of section 16 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to fix 25th May 1961, as the date on which elections in Fatehgarh Cantonment shall be held.

[No. 29/40/G/L&C/57.]

PRITAM SINGH, Under Secy.